

**IN THE CLAIMS:**

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

1. (CURRENTLY AMENDED) An apparatus for creating an image processing program, comprising:

a program selecting unit that selects at least one watermarking program from ~~among a~~ plurality of watermarking programs for inserting electronic watermark data into moving image data that are encrypted, compressed, or both encrypted and compressed;

an area selecting unit that selects at least one area for inserting the selected at least one watermarking program, from ~~among a~~ plurality of areas in a processing program that performs decrypting, expanding, or both decrypting and expanding the moving image data; and

a program inserting unit that generates the image processing program by inserting ~~inserts the~~ selected at least one watermarking program selected into the selected at least one area of the processing program selected, wherein the electronic watermark data include a unique number of a tamper resistant module which is an image processing apparatus that executes the image processing program, and the unique number is encrypted by a unique encryption key of the tamper resistant module.

2. ( CURRENTLY AMENDED) The apparatus according to claim 1, wherein:  
the program selecting unit selects the at least one watermarking program at random, and  
the at least one area selecting unit selects the area at random.

3. ( CURRENTLY AMENDED) The apparatus according to claim 1, wherein the electronic watermark data include information unique to an image processing apparatus that executes the image processing program.

4. (CANCELLED).

5. ( CURRENTLY AMENDED) The apparatus according to claim 1, further comprising:

a parameter determining unit that randomly determines a parameter necessary to operate the at least one watermarking program selected.

6. ( CURRENTLY AMENDED) The apparatus according to claim 1, further comprising:

a program rewriting unit that rewrites a jump destination specified by a jump instruction in the image processing program from any one of the at least one watermarking programs inserted by the program inserting unit into another watermarking program.

7. ( CURRENTLY AMENDED) The apparatus according to claim 6, wherein the program rewriting unit rewrites the jump destination during an execution of the image processing program.

8. (PREVIOUSLY PRESENTED) A method of creating an image processing program, comprising:

selecting at least one watermarking program from ~~among~~ a plurality of watermarking programs for inserting electronic watermark data into moving image data that are encrypted, compressed, or both encrypted and compressed;

selecting at least one area from ~~among~~ a plurality of areas in a processing program that performs decrypting, expanding, or both decrypting and expanding the moving image data; and  
generating the image processing program by inserting the selected at least one watermarking program selected into the selected at least one area selected of the processing program, wherein the electronic watermark data include a unique number of a tamper resistant module that executes the image processing program, and the unique number is encrypted by a unique encryption key of the tamper resistant module.

9. (ORIGINAL) The method according to claim 8, wherein  
the selecting at least one watermarking program includes selecting the watermarking program at random, and  
the selecting at least one area includes selecting the area at random.

10. ( CURRENTLY AMENDED) The method according to claim 8, wherein the electronic watermark data include information unique to an image processing apparatus that executes the image processing program.

11. (CANCELLED).
12. ( CURRENTLY AMENDED) The method according to claim 8, further comprising:  
determining randomly a parameter necessary to operate the at least one watermarking  
program selected.
13. ( CURRENTLY AMENDED) The method according to claim 8, further comprising:  
rewriting a jump destination specified by a jump instruction in the image processing  
program from any one of the at least one watermarking programs inserted by the program  
inserting unit into another watermarking program.
14. ( CURRENTLY AMENDED) The method according to claim 13, wherein the  
rewriting is performed during an execution of the image processing program.
15. (CURRENTLY AMENDED) A computer readable medium storing a program for  
creating an image processing program, which program when executed on a computer controls  
the computer to execute:  
selecting at least one watermarking program from ~~among~~ a plurality of watermarking  
programs for inserting electronic watermark data into moving image data that are encrypted,  
compressed, or both encrypted and compressed;  
selecting at least one area from ~~among~~ a plurality of areas in a processing program that  
performs decrypting, expanding, or both decrypting and expanding the moving image data; and  
generating the image processing program by inserting the selected at least one  
watermarking program ~~selected~~ into the selected at least one area ~~selected~~ of the processing  
program, wherein the electronic watermark data include a unique number of a tamper resistant  
module that executes the image processing program, and the unique number is encrypted by a  
unique encryption key of the tamper resistant module.
16. (PREVIOUSLY PRESENTED) The computer readable medium according to  
claim 15, wherein:  
the selecting of the at least one watermarking program includes selecting the  
watermarking program at random, and  
the selecting of the at least one area includes selecting the area at random.

17. ( CURRENTLY AMENDED) The computer readable medium according to claim 15, wherein the electronic watermark data include information unique to an image processing apparatus that executes the image processing program.

18. (CANCELLED).

19. ( CURRENTLY AMENDED) The computer readable medium according to claim 15, further controls the computer to execute:

determining randomly a parameter necessary to operate the at least one watermarking program selected.

20. ( CURRENTLY AMENDED) The computer readable medium according to claim 15, further controls the computer to execute:

rewriting a jump destination specified by a jump instruction in the image processing program from any one of the at least one watermarking programs inserted by the program inserting unit into another watermarking program.

21. ( CURRENTLY AMENDED) The computer readable medium according to claim 20, wherein the rewriting is performed during an execution of the image processing program.

22. (NEW) An apparatus generating an image processing program that performs watermarking together with decrypting, expanding, or both decrypting and expanding moving image data, comprising:

a program selecting unit that selects at least one watermarking program from a plurality of watermarking programs;

an area selecting unit that selects at least one location in a processing program that performs decrypting, expanding, or both decrypting and expanding moving image data, for respectively inserting the selected at least one watermarking program;

a program inserting unit that generates an image processing program by inserting each of the selected at least one watermarking program into a respective one of the selected at least one location of the processing program;

a parameter determining unit that randomly determines a parameter necessary to operate the selected at least one watermarking program; and

a program rewriting unit that rewrites a jump destination specified by a jump instruction in the image processing program from any one of the watermarking programs inserted by the program inserting unit into another watermarking program,

wherein the electronic watermark data include a unique number of a tamper resistant module which is an image processing apparatus that executes the image processing program.